

Remarks

Claims 1-5, 8-16 and 19-24 are currently under consideration. Favorable reconsideration of this application in view of the remarks below is respectfully requested.

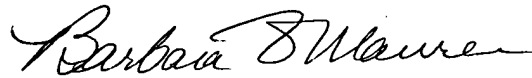
Claims 1-5, 8, 10-16 and 21-24 stand rejected under 35 USC 103(a) as being unpatentable over Weiss (5,868,668) in view of Francis et al (5,072,720). The basis of the rejection is that it would be obvious to one of ordinary skill in the art to combine the device disclosed in Weiss with the incrementally adjustable locking device disclosed in Francis et al. to obtain the instant claimed device. This rejection is again respectfully traversed.

The Examiner's Response to Arguments in the Final Office action argues that the device disclosed by Weiss may be turned sideways, for example, to achieve lateral motion. Applicants respectfully wish to point out to the Examiner that if the Weiss device is rotated 90 degrees in order to achieve lateral motion then the hand grips 54, 11 would be to one side. This would not be capable of performing the intended use, especially in the case of vaginal use, because the patient's leg would be in the way and the device would be inoperable. It is noted that in the instant claimed device the hand grips are not in the same plane as the motion of the blades whereas in the Weiss device the hand grips are in the plane of the lateral motion. Thus the device of the instant invention is not suggested by Weiss, even in view of Francis et al. Reconsideration is respectfully requested.

Claims 9 and 20 stand rejected under 35 USC 103(a) as being unpatentable over Weiss in view of Francis et al and further in view of Nwaka. This rejection is respectfully traversed for the reasons set forth above with respect to Weiss.

Should the Examiner believe that a telephone call to the undersigned would favorably advance the prosecution of this application or narrow any outstanding issues, he is respectfully invited to call at the telephone number indicated below.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Barbara V. Maurer".

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